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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,702	03/25/2004	Wilburn B. Lancaster	0W350-71222	6074
32009	7590	09/09/2004	EXAMINER	
BRADLEY ARANT ROSE & WHITE LLP 200 CLINTON AVE. WEST SUITE 900 HUNTSVILLE, AL 35801			TORRES, ALICIA M	
		ART UNIT	PAPER NUMBER	
		3671		

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/808,702	LANCASTER, WILBURN B. <i>SD</i>	
	Examiner Alicia M Torres	Art Unit 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 March 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/25/04</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

Specification

1. The disclosure is objected to because of the following informalities: the brief descriptions of drawings 5a and 5b are awkward.

Appropriate correction is required.

Claim Objections

2. Claim 5 is objected to because of the following informalities: there is lack of antecedent basis for "the cutting plane". Appropriate correction is required.
3. Claim 8 is objected to because of the following informalities: there is lack of antecedent basis for "the blade assembly". Appropriate correction is required.

DETAILED ACTION

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3, 5, 7, 9, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Feilen, as cited by Applicant.
6. In regards to claims 1, 3 and 5, Feilen discloses a lawn mower blade comprising:
 - a) a carrier (11);

- b) a detachable cutting edge (22); and
- c) an attachment mechanism (30) that connects the cutting edge (22) to the carrier (11)

where the attachment mechanism (30) is accessible from the bottom of the carrier (11), as per claim 1; and

where the cutting edge (22) is shaped to protect the attachment mechanism (30, see the embodiment of Figure 11), as per claim 3; and

where the attachment mechanism (30) is above the cutting plane (see the embodiment of Figure 11), as per claim 5.

7. In regards to claim 7, Feilen discloses a lawn mower blade comprising:

- a) a carrier (11);
- b) a detachable cutting edge (22); and
- c) an attachment mechanism (30) for attaching the cutting edge (22) to the carrier (11)

where the attachment mechanism (30) is protected by the shape of the cutting edge (22, see the embodiment of Figure 11).

8. In regards to claim 9, Feilen discloses a lawn mower blade comprising:

- a) a carrier (11);
- b) a cutting mechanism (22); and
- c) means (30) for mounting cutting mechanism (22) to the carrier (11) where the means (30) for mounting can be accessed from the bottom of the carrier (11).

9. In regards to claim 11, Feilen discloses a lawn mower blade comprising:
 - a) a carrier (11);
 - b) a cutting mechanism (22); and
 - c) means (30) for mounting cutting mechanism (22) to the carrier (11) where the means (30) for mounting is protected by the cutting mechanism (22, see the embodiment of Figure 11).
10. In regards to claim 12, Feilen discloses a lawn mower blade comprising:
 - a) a carrier (11);
 - b) a detachable cutting edge (22);
 - c) an attachment mechanism (30) that connects the cutting edge (22) to the carrier (11) where the attachment mechanism (30) is accessible from the bottom of the carrier (11); and
 - d) a slot safety mechanism (20).
11. Claims 1, 2, 4, 6, 8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Biernath et al., hereafter Biernath, as cited by Applicant.
12. In regards to claims 1, 2 and 4, Biernath discloses a lawn mower blade comprising:
 - a) a carrier (50);
 - b) a detachable cutting edge (40); and
 - c) an attachment mechanism (90) that connects the cutting edge (40) to the carrier (50) where the attachment mechanism (90) is accessible from the bottom of the carrier (50), as per claim 1; and

where the carrier (50) is shaped to protect the attachment mechanism (90), as per claim 2;
and

where the carrier (50) and cutting edge (40) are both shaped to protect the attachment
mechanism (90), as per claim 4.

13. In regards to claim 6, Biernath discloses a lawn mower blade comprising:

- a) a carrier (50);
- b) a detachable cutting edge (40); and
- c) an attachment mechanism (90) for attaching the cutting edge (40) to the carrier (50)

where the attachment mechanism (90) is protected by the shape of the carrier (50).

14. In regards to claim 8, Biernath discloses a lawn mower blade comprising:

- a) a carrier (50);
- b) a detachable cutting edge (40); and
- c) an attachment mechanism (90) for attaching the cutting edge (40) to the carrier (50)

where the attachment mechanism (90) is protected by the shape of the blade assembly (40, 50).

15. In regards to claim 10, Biernath discloses a lawn mower blade comprising:

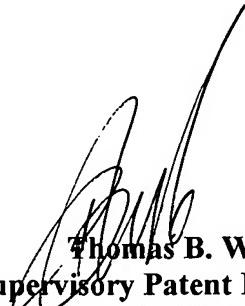
- a) a carrier (50);
- b) a cutting mechanism (40); and
- c) means (90) for mounting cutting mechanism (40) to the carrier (50) where the means
(90) for mounting is protected by the carrier (50).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hill et al., Burnell, Roszkowski and Schuyler have been cited as of interest.
17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Torres whose telephone number is 703-305-6953. The examiner can normally be reached Monday through Thursday from 7:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached at 703-308-3870.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-1113. The fax number for this Group is 703-872-9306.



Thomas B. Will
Supervisory Patent Examiner
Group Art Unit 3671

AMT
September 2, 2004